

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the proposed)
amendment of ARM 10.55.603 and) NOTICE OF PUBLIC HEARING
10.56.101 relating to assessment) ON PROPOSED AMENDMENT

TO: All Concerned Persons

1. On February 27, 2006 at 9:00 a.m. a public hearing will be held in the conference room at the Office of the Commissioner of Higher Education, in the NY Building at 46 North Last Chance Gulch, Helena, Montana, to consider the amendment of the above-stated rules relating to assessment.

2. The Board of Public Education will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Public Education no later than 5:00 p.m. on February 13, 2006, to advise us of the nature of the accommodation that you need. Please contact Steve Meloy, P.O. Box 200601, Helena, MT 59620-0601, telephone: (406) 444-6576, FAX: (406) 444-0847, e-mail: smeloy@bpe.montana.edu.

3. The rules proposed to be amended provide as follows, stricken matter interlined, new matter underlined:

10.55.603 CURRICULUM AND ASSESSMENT (1) Local school districts shall incorporate all content and performance standards into their curriculum, implementing them sequentially and developmentally. School districts shall assess the progress of all students toward achieving content and performance standards in all program areas. Assessment of all students, whether enrolled full or part-time, shall be used to examine the educational program and measure its effectiveness based on the content and performance standards.

(a) through (4)(c) remain the same.

AUTH: 20-2-114, 20-2-121, MCA

IMP: 20-2-121, 20-3-106, 20-7-101, MCA

10.56.101 STUDENT ASSESSMENT (1) and (2) remain the same.

(3) In order to obtain state-level achievement information, all accredited schools shall ~~annually~~ administer a single system of state-level assessments approved by the board when selected to participate in the state-level assessment.

(a) When selected to participate in the ~~S~~state-level assessments, schools shall administer the assessment ~~shall be administered~~ to all students in grades four, eight and eleven in reading, communication arts, mathematics, science, and social studies. For planning purposes, state-level assessments shall be given during a week in the ~~spring~~ fall of the year, identified by the Office of Public Instruction ~~a year~~ six months prior to the assessment date.

(b) through (8)(c) remain the same.

AUTH: 20-2-121, MCA
IMP: 20-2-121, 20-7-402, MCA

4. Statement of Reasonable Necessity: The Board of Public Education has determined that it is reasonable and necessary to amend these rules because the Board has determined a need to explore options for obtaining valid state-level achievement information in grades four, eight and eleven. The Board has also determined that the state-level assessment shall be given in the fall of the year.

5. Concerned persons may present their data, views or arguments, either orally or in writing, at the hearing. Written data, views or arguments may also be submitted by mail to the Board of Public Education, P.O. Box 200601, Helena, Montana 59620-0601, or by e-mail to smeloy@bpe.montana.edu and must be received no later than the close of the hearing on February 27, 2006.

6. Steve Meloy has been designated to preside over and conduct the hearing.

7. The Board of Public Education maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request which includes the name and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding assessment or other school related rulemaking actions. Such written request may be mailed or delivered to Steve Meloy, P.O. Box 200601, Helena, Montana 59620-0601, faxed to the office at (406) 444-0847, by e-mail to smeloy@bpe.montana.edu, or may be made by completing a request form at any rules hearing held by the Board of Public Education.

8. The bill sponsor requirements of 2-4-302, MCA, do not apply. The requirements of 20-1-501, MCA, have been fulfilled. Copies of these rules have been sent to all tribal governments in Montana.

/s/ Dr. Kirk Miller
Dr. Kirk Miller, Chairperson
Board of Public Education

/s/ Steve Meloy
Steve Meloy, Rule Reviewer
Board of Public Education

Certified to the Secretary of State January 13, 2006.